



**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF MEDICAL ASSISTANCE SERVICES**  
600 East Broad Street, Suite 1300  
Richmond, VA 23219

To: CCC Plus Managed Care Project Leaders

From: Tammy Driscoll, CCC Plus Implementation Lead   
Senior Program Advisor, DMAS Complex Care and Services

Date: October 17, 2017

Subject: CCC Plus – Pharmacy Coverage Clarification

This memo is to share a correction to the CCC Plus Contract. The current contract incorrectly implies that the Contractor may not cover over the counter (OTC) drugs unless eligible for a Medicaid Drug rebate. The Contract is being revised as follows, and these changes are effective immediately.

#### **4.8.1 General Coverage Provisions**

The Contractor shall be responsible for covering all medically necessary legend and non-legend Food and Drug Administration (FDA) approved drugs, ~~that qualify for a Medicaid rebate for Members, as set forth in 12 VAC 30-50-210 and 42 CFR 438.3(s)(1), and in compliance with § 38.2-4312.1 of the Code of Virginia. Legend dDrugs for which Federal Financial Participation is not available, pursuant to the requirements of §1927 of the Social Security Act (OBRA 90 §4401), shall not be covered.~~

#### **4.8.3 Pharmacy Exclusions**

The Contractor must exclude coverage for the following:

- Drugs used for anorexia or weight gain;
- Drugs used to promote fertility;
- Agents used for cosmetic purposes or hair growth;
- Agents used for the treatment of sexual or erectile dysfunction, unless such agents are used to treat a condition other than sexual or erectile dysfunction, for which the agents have been approved by the FDA;
- All DESI (Drug Efficacy Study Implementation) drugs as defined by the FDA to be less than effective. Compound prescriptions, which include a DESI drug, are not covered;
- Drugs which have been recalled;
- Experimental drugs or non-FDA-approved drugs; and,
- Any legend drugs marketed by a manufacturer who does not participate in the Medicaid Drug Rebate program.

These changes were discussed and agreed to by all MCOs in the Pharmacy Meeting on October 12, 2017.